IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

WP(C).No. 24548 of 2007(V)

PETITIONER:

G.KARUNAKARAN, S/O.GOVINDAN,
KALICKAL, KAKAZHAM P.O., ALAPPUZHA.

BY ADV. SRI.K.S.HARIHARAPUTHRAN
SRI.M.D.SASIKUMARAN
SRI.P.J.JOSEPH
SRI.GEORGE MATHEW
SRI.A.V.TELLES

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY
SECRETARY, VILLAGE INDUSTRIES,
THIRUVANANTHAPURAM.

2. DISTRICT COLLECTOR,
CIVIL STATION, ALAPPUZHA.

3. THAHASILDAR, REVENUE RECOVERY UNIT,
TALUK OFFICE, AMBALAPUZHA.

4. VILLAGE OFFICER,
AMBALAPUZHA.

5. KHADI AND VILLAGE INDUSTRIES BOARD,
THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY.

R5 BY ADV. SRI.K.P.HARISH, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.24548 of 2007

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Dated this the 14th day of August, 2007.

JUDGMENT

The petitioner is challenging recovery proceedings for recovery of arrears of loan and interest due to 5th respondent. Admittedly petitioner is in arrears and the dispute raised by petitioner is with regard to interest and other charges levied. If petitioner approaches the 5th respondent with details of payment, 5th respondent will verify the accounts and carry out mistakes if any in the credits already given. There will be direction to the 5th respondent to give a statement of accounts on production of copy of this judgment by the petitioner. The respondents are free to recover whatever is the actual amounts due from the petitioner. Since liability runs into several lakhs and since petitioner has not given details of any regular income for him, there is no scope for granting instalments to the petitioner. The respondents can therefore attach the movables and immovables of the defaulter-firm and of the directors and other persons who have executed personal guarantees and proceed with recovery.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms